KIRKLEES METROPOLITAN COUNCIL
INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) – SECTION 16

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR LISTED BUILDING CONSENT

Reference No:	**2024/65/91526/E**
Site Address:	Sigston House, 360, Oxford Road, Gomersal, Cleckheaton, BD19 4JZ
Description:	Listed Building Consent for stabilisation of wall at rear of property (within a Conservation Area)
Recommending Officer:	Sebastian Pickles

DECISION – CONSENT GRANTED

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Helen Bower

AUTHORISED OFFICER

Date: 31-Jul-2024

Site

The application relates to the Grade II Sigston House, 360 Oxford Road. It is an example of early 17th century Farmhouse. There is a date stone present which states 1634. It is a two-storey building constructed in thinly coursed rubble stone. The main roof planes are finished in what appear to be small terracotta tiles, with both roof planes being finished towards the eaves with stone kicker courses. As well as being Listed at Grade II, Sigston House is also within the Gomersal Conservation Area.

The building is accessed directly off Oxford Road with the access being directly opposite the turning for West Lane.

The building appears to be in relatively sound condition, however, there is a noticeable bow/ bulge to the rear elevations.

Proposals,

The application is for listed building consent for stabilisation works to the rear elevation of the building.

Relevant Planning History

None

History of negotiations/amendments received

There has been limited engagement with the applicant, as the submitted details were sufficient to assess the proposed works.

Access Considerations

None.

Climate Change Emergency

On 12th November 2019, the Council adopted a target for achieving 'net zero' carbon emissions by 2038, with an accompanying carbon budget set by the Tyndall Centre for Climate Change Research. National Planning Policy includes a requirement to promote carbon reduction and enhance resilience to climate change through the planning system and these principles have been incorporated into the formulation of Local Plan policies. The Local Plan pre-dates the declaration of a climate emergency and the net zero carbon target, however, it includes a series of policies which are used to assess the suitability of planning applications in the context of climate change. When determining planning applications, the Council will use the relevant Local Plan policies and guidance documents to embed the climate change agenda.

The proposals will have no climate change implications.

Consultation Responses

The officer report has been compiled by the Senior Conservation and Design Officer.

Public/Members Response

The application has been publicised with a site notice and a press notice.

Date site notice expired: 02.07.2024

Publicity expiry date: 11.07.2024

Kirklees Local Plan Policy

LP 1-Achieving Sustainable Development
LP 2 – Place Shaping
LP 24 – Design
LP 35 Historic environment.

National Policies and Guidance:

The building is Grade II listed and therefore Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires the Local Planning Authority to 'have special regard to the desirability of preserving the building or its setting or any features of a special architectural or historic importance which it possesses'.

National planning policy and guidance are set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published 19th December 2023, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

Chapter 2	Achieving sustainable development
Chapter 12	Achieving well-designed places
Chapter 16	Conserving and Enhancing the historic environment

Assessment

As set out, the focus of the application is on the rear elevation of the building. As stated in the Site description there is a noticeable bulge to the central band of the rear elevation. It is unclear if this is historic or more recent movement in the building. Historic images of the building appear to show a bulge however, it is unclear if there has been any change over time.

There is some concern that the bow/ bulge could worsen and potentially cause considerable damage and loss of historic fabric to the building.

The intention is therefore to undertake remedial works to ensure the structure is secured. The intention is to use Helifix BowTies and CemTies. The BowTies will be fixed through the external stonework tying into the floor joists. The CemTies will be fixed through the external stonework into the inner wall plate. This should ensure that the structure is tied back in and prevents any further movement or shift in the elevation.

This will require a degree of intrusive work, with drilling required however, it will have a lesser impact than if the elevation had to be dismantled and reconstructed. The holes created by the drilling will be capped/ resealed with stone plugs or lime render to match the colour and texture of the existing stonework, thus reducing the visual impact and this will be conditioned accordingly.

It will also retain the bow, which does add to the historic character of the building, but as previously stated the works should prevent any further movement. The proposed works are supported by a Structural Engineers assessment and report, which also sets out the number and placement of the proposed ties.

The works are considered necessary to ensure that there is no further movement to the elevation and while there is a degree of intrusive work, the impact of this is considered to be acceptable and justified.

Conclusion

Paragraph 205 of the NPPF states that:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

Paragraph 208 goes on to state that:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act requires that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of that area.

This application has been assessed against relevant policies in the development plan and other material considerations. The works as set out are considered to be necessary in order to address an apparent structural concern. The works while having a degree of intrusiveness are considered less harmful than alternative options. The works should ensure the long-term structural integrity of the elevation and prevent any further potential structural concerns or loss of historic fabric.

It is therefore concluded that the proposed development accords with the requirements of policies LP1, LP2, LP24 and LP35 of the Kirklees Local Plan, policies within Chapters 2, 12 and 16 of the National Planning Policy Framework and Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Recommendation **Grant Consent**

Decision Authorisation - Delegated Powers
Application Number: - 2024/91526
Officer Recommendation: Grant Consent
Conditions and Reasons:

1. The development shall be begun not later than the expiration of three years beginning with the date on which consent is granted.
Reason: Pursuant to Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
2. The submitted details the development hereby permitted shall be carried out in complete accordance with the plans and specifications schedule listed in this decision notice except as may be specified in the conditions attached to this permission, which shall in all cases take precedence.
Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.
3. Notwithstanding the submitted details, the stone coring holes created to fit the BowTies and CemTies shall be finished/ resealed using stone plugs or lime mortar to match the colour and texture of the existing stonework.
Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.
4. Notwithstanding the submitted details all mortar repairs to stone work and or repointing works shall be undertaken using lime mortar only.
Reason: For the avoidance of doubt as to what is being permitted and to ensure the satisfactory appearance of the development on completion to retain the significance of the designated heritage asset and to accord with Policy LP35 of the Kirklees Local Plan, as well as Chapter 16 of the National Planning Policy Framework.

Plans and specifications schedule: -

Plan Type	Reference	Version	Date Received
Location Plan	PP-13106098v1		29/05/2024
Structural Condition Report: Sigston House	Property of EAT LTD		05/06/2024

Stabilisation of Bulging Wall – Repair Scheme	Will Gadd XILK101		29/05/2024
Product Sheet – CemTie			29/05/2024
Product Sheet – BowTie			29/05/2024

Pursuant to article 35 (2) of the Town and Country Planning (Development Management Procedure) Order 2015 and guidance in the National Planning Policy Framework, the Local Planning Authority have, where possible, made a pre-application advice service available, complied with the Kirklees Development Management Charter 2015 and otherwise actively engaged with the applicant in dealing with the application. Following assessment of the submitted details the proposals are considered acceptable.

Report Dated: 29th July 2024